

ORDINANCE NO. 2016-02

AN ORDINANCE AMENDING THE VERNAL CITY MUNICIPAL CODE, AMENDING SECTIONS 16.28.060 - POLE SIGNS, 16.28.070 - FLAT OR WALL SIGNS, AND ADDING SECTION 16.28.083 - INFLATABLE SIGNS.

WHEREAS, the City Council finds that the regulation of signs within the City is necessary for orderly growth and conduct of business within the City, and;

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the Vernal City Code, and;

WHEREAS, the City Council has received input from the public at large in duly noticed open meetings, and has considered and discussed the advantages and disadvantages of such regulation.

BE IT ORDAINED BY THE CITY COUNCIL OF VERNAL CITY, UTAH AS FOLLOWS:

Section 1. Section 16.28.060 is hereby amended to read as follows

16.28.060 Pole signs.

A. Zoning. Pole signs including identification, advertising and business signs which are supported by pole(s) or support(s) having a height greater than fourteen (14) feet and which are mounted in the ground are permitted in the CC-1, C-2, CP-2, CCP-1 and I-1 zones. For purposes of this regulation, signs mounted on the roofs of buildings that extend higher than the peak of the roof, shall be considered pole signs.

B. Placement. Pole signs may only be placed within three hundred-fifty (350) feet of the edge of the right-of-way of Highway 40 or North Vernal Avenue. Pole signs placed within one hundred and fifty (150) feet of an existing residential use or zone shall require a conditional use permit.

C. Height. The maximum sign height shall not exceed forty (40) feet from the average adjacent grade to the top of the sign. When a sign projects over an area designated for pedestrians or automotive use, no portion of the body of the sign shall be lower than fourteen (14) feet.

D. Area. The maximum area expressed in square feet for a sign shall be calculated by multiplying the frontage of the parcel on which the sign will be placed by two (2). However, no sign shall have more area than one hundred fifty (150) square feet.

E. Density. One pole sign per parcel.

F. Separation. A minimum separation of one hundred (100) feet shall be maintained between all other pole signs, multi-tenant commercial signs and off premises signs unless the entire body of the proposed sign is at a different elevation from the bodies of all adjacent pole signs, multi-tenant commercial signs and off premises signs. In no case shall the separation between said signs be less than fifty (50) feet. Pole signs shall be located as near to the middle

point of the lot frontage as is reasonable.

G. Setbacks. No part of the pole sign may extend over any public right-of-way or easement or across any adjoining property lines. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City code.

H. Design. The pole or support structure of the sign may be equal to the width and depth of the sign, but may not exceed it. Except for the address of the property, no copy or text may be attached to the pole or support structure less than six (6) feet from the adjacent grade.

(PZSC § 03-13-006)

Section 2. Section 16.28.063 is hereby amended to read as follows

16.28.063 Multi-tenant commercial Signs.

A. Zoning. Multi-tenant commercial signs including identification, advertising and business signs which are supported by pole(s) or support(s) having a height greater than fourteen (14) and which are mounted in the ground are permitted in the CC-1, C-2, CP-2, CCP-1 and I-1 zones.

B. Placement. Multi-tenant commercial signs may only be placed within three hundred- fifty (350) feet of the edge of the right-of-way of Highway 40 or North Vernal Avenue. Multi-tenant commercial signs placed within one-hundred and fifty (150) feet of an existing residential use or zone shall require a conditional use permit.

C. Height. The maximum sign height shall not exceed forty (40) feet from the average adjacent grade to the top of the sign. When a sign projects over an area designated for pedestrians or automotive use, no portion of the body of the sign shall be lower than fourteen (14) feet.

D. Area. The maximum area expressed in square feet for a sign shall be calculated by multiplying the frontage of the parcel on which the sign will be placed by two (2). However, no sign shall have more area than three hundred (300) square feet.

E. Density. One multi-tenant commercial sign per business complex.

F. Separation. A minimum separation of one hundred (100) feet shall be maintained between all other pole signs, multi-tenant commercial signs and off premises signs unless the entire body of the proposed sign is at a different elevation from the bodies of all adjacent pole signs, multi-tenant commercial signs and off premises signs. In no case shall the separation between said signs be less than fifty (50) feet.

G. Setbacks. No part of the multi-tenant commercial sign may extend over any public right-of-way or easement or across any adjoining property lines. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City code.

H. Additional restrictions. Multi-tenant commercial signs shall be located within the business complex for which they advertise and only tenants of that business complex may advertise on the sign. Any business advertising on a multi-tenant commercial sign may not have a pole sign on its property located within the associated business complex.

Section 3. Section 16.28.065 is hereby amended to read as follows

16.28.065 Monument signs.

A. Zoning. Monument signs or signs which are supported by a pole or poles, a base, or other supports which are mounted in the ground are permitted only in the CC-1, C-2, CP-2, CCP-1, I-1, HC-1, P-1 and as a conditional use in the R-4 and R-3 zones.

- B. Height. The maximum height for a monument sign is five (5) feet.
- C. Area. The maximum area of a monument sign shall be fifty (50) square feet.
- D. Density. Only one (1) monument sign per parcel is allowed.
- E. Separation. A minimum of fifty (50) feet separation shall be maintained between all monument signs.
- F. Set backs. Monument signs shall have a minimum set back of five (5) feet from the side property line and eighteen (18) inches from the front property line or the public right-of-way or easement. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City code.

Section 4. Section 16.28.067 is hereby amended to read as follows

16.28.067 Projecting signs.

- A. Zoning. Projecting signs, or signs which extend perpendicular from a structure and are suspended above the ground, are permitted only in the CC-1, C-2, CP-2, CCP-1, I-1, HC-1, P-1 zones.
- B. Height. The minimum height above the immediately surrounding grade for a projecting sign is ten (10) feet, except;
 - 1. When projecting over a motor vehicle travelway or parking area the minimum height shall be ~~sixteen (16)~~ twelve (12) feet.
- C. Area. The maximum area of a projecting sign shall be one hundred (100) square feet. The combined area of wall, awning and projecting signs shall not exceed twenty-five (25) percent of the building facade or wall on which the signs are to be placed.
- D. Density. Only one projecting sign per business shall be allowed. Projecting signs must be separated from all other projecting signs by a minimum of twenty five (25) feet.
- F. Setbacks. No part of the projecting sign may extend over any public right-of-way or easement or across any adjoining property lines, except;
 - 1. In the CC-1 and CCP-1 zones a sign may project up to six (6) feet over a public right-of-way or easement, so long as it does not impair the use of the right-of-way or easement.

Section 5. Section 16.28.070 is hereby amended to read as follows

16.28.070 Flat or wall signs.

- A. Zoning. Flat or wall signs include identification, advertising, and business signs which are mounted or painted against a wall or building facade and are permitted only in the CC-1, C-2, CCP-1, CP-2, I-1, HC-1, and R-4 and R-3 zones. For purposes of this regulation, signs mounted on the roofs of buildings that do not extend higher than the peak of the roof shall be considered flat or wall signs.
- B. Area. The combined area of wall, awning and projecting signs shall not exceed twenty-five (25%) percent of the building facade or wall on which the signs are to be placed. (PZSC § 03-13-007)

Section 6. Section 16.28.080 is hereby amended to read as follows

16.28.080 Temporary signs.

- A. The following temporary signs shall be permitted in any zone. Permits shall be obtained

in accordance with section 16.28.100.

1. Political signs not within one hundred fifty (150) feet of polling places and not larger than thirty-two (32) square feet. Signs shall be removed no later than fifteen (15) days after the election.

2. Signs advertising a yard sale posted on private property with the consent of the property owner.

a. The area of the sign shall not exceed eight (8) square feet.

3. Signs pertaining to the sale or lease of property and/or buildings.

a. For multi-tenant, commercial and industrial properties, the area may not exceed fifty (50) square feet. In all other cases the area may not exceed eight (8) square feet.

b. There shall be no maximum time for which these signs may be placed, except that signs must be removed from parcels that are not actively offered for sale.

B. The following temporary signs shall be permitted in the CC-1, C-2, CP-2, CCP-1 and I-1 zones advertising a business service as approved by Vernal City ~~the Building Official~~.

1. Temporary signs maximum size.

a. Banners shall not exceed forty-eight (48) square feet.

b. A-frame signs shall not exceed eight (8) square feet on each side.

c. Reader board signs shall not exceed thirty-two (32) square feet.

2. ~~3.~~ Banner signs, not to exceed forty-eight (48) square feet, advertising a governmental purpose or recreational event may be placed in the public right-of-way with approval of the City.

C. Unless otherwise specified, signs shall be permitted for a maximum of forty-five (45) days. Upon written request, ~~The Building Official~~ Vernal City may extend this period up to an additional 90 days.

D. Signs shall not be placed in a public right-of-way except as permitted by the Building Official.

1. Signs shall not obstruct free passage through a right-of-way or create a safety hazard to the public. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City code.

(PZSC § 03-13-008)

Section 7. A new Section 16.28.083 is hereby added to read as follows

16.28.083 Inflatable signs.

A. Zoning. An inflatable sign is any object enlarged or inflated using air or another gas and/or is activated by air or moving gas which floats, is tethered in the air, or is located on the ground or on a building with or without copy or other graphic. These signs are permitted only in the CC-1, C-2, CCP-1, CP-2 and I-1 zones.

B. Time limit. An inflatable sign may be permitted and placed on a parcel only twice in a calendar year. The maximum duration for these permits shall be twenty one (21) days. Only one (1) inflatable sign may be placed on the parcel.

C. Size. Inflatable signs shall be limited to twenty five (25) feet in height.

D. Placement. Inflatable signs must be set back at least ten (10) feet from any property line or public right-of-way. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City Code.

E. Design. In all cases inflatable signs must be secured in a fashion that prevents wind or

any other natural force from moving them from the property for which they are permitted.

Section 8. Section 16.28.085 is hereby amended to read as follows

16.28.085 Public necessity signs.

A. Public necessity signs such as safety/instructional, for public facilities and parks, warnings, informational kiosks at trail heads, bus stop, no parking and street name signs installed by or with the permission of Vernal City are exempt from permit requirements. Approval of the Superintendent of Streets is required for all signs in or adjacent to the public right-of-way to ensure safe placement, ensure compliance with the Manual of Uniform Traffic Control Devices and prevent unsightly or distracting sign placement.

Section 9. Section 16.28.090 is hereby amended to read as follows

16.28.090 Removal and Repair.

If a sign not legally in existence at the time this chapter is adopted does not conform with the requirements of this chapter, or if the construction, design, manner or use, or method of anchoring or supporting any sign makes such sign unsafe, ~~the City Building Official~~ Vernal City shall give written notification to the owner of the property on which the sign is placed of the violation and the pending action of the City to correct the violation. Unless there is an immediate threat to the health, safety or welfare of the general public, ~~the Building Official~~ Vernal City shall give the property owner thirty (30) days to correct the violation before proceeding to cause the removal of the sign or the rebuilding of the sign to conform with the requirements of this chapter, the building code adopted by Vernal City and any other applicable laws. The owner of the parcel upon which the sign is placed shall reimburse Vernal City for the full cost incurred in the removal of the sign or in bringing the sign into compliance. (PZSC § 03-13-009)

Section 10. Section 16.28.100 is hereby amended to read as follows

16.28.100 Permit requirements.

Regardless of cost, no sign shall be erected or placed within Vernal City without first making application for and obtaining a permit for said sign, therefor, except temporary window ~~and~~ political posters, temporary signs pertaining to the sale of real property, nameplates or identification signs indicating the existence of an approved home occupation, property identification signs and yard sale signs. Any permit herein required by these regulations shall be in addition to any other building permit required. Construction or placement of a sign shall not be commenced until all approvals have been obtained. (PZSC § 03-13-010)

SECTION A. REPEALER. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code are hereby repealed.

SECTION B. SEVERABILITY. The provisions of this ordinance shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid and it shall not affect the validity of any other provision of this ordinance or the application in a different circumstance.

SECTION C. EFFECTIVE DATE. This ordinance shall take effect the day after publication the __ day of _____ 2016.

Mayor Sonja Norton

ATTEST:

Kenneth L. Bassett, City Recorder

(S E A L)

Date of Publication: _____

Section 16.28.065 Monument signs.

F. Set backs. Monument signs shall have a minimum set back of five (5) feet from the side property line and eighteen (18) inches from the front property line or the public right-of-way or easement. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City Code.

Section 16.28.060 Pole signs.

G. Setbacks. No part of the pole sign may extend over any public right-of-way or easement or across any adjoining property lines. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City Code.

Section 16.28.063 Multi-tenant commercial Signs.

G. Setbacks. No part of the multi-tenant commercial sign may extend over any public right-of-way or easement or across any adjoining property lines. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City Code.

Section 16.28.080 Temporary signs.

B. The following temporary signs shall be permitted in the CC-1, C-2, CP-2, CCP-1 and I-1 zones advertising a business service as approved by the Building Official Vernal City.

C. Unless otherwise specified, signs shall be permitted for a maximum of forty-five (45) days. Upon written request, The Building Official Vernal City may extend this period up to an additional 90 days.

D. Signs shall not be placed in a public right-of-way except as permitted by the Building Official Vernal City.

1. Signs shall not obstruct free passage through a right-of-way or create a safety hazard to the public. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City Code.

Section 16.28.067 Projecting signs.

B. Height. The minimum height above the immediately surrounding grade for a projecting sign is ten (10) feet, except;

1. When projecting over a motor vehicle travelway or parking area the minimum height shall be sixteen (16) twelve (12) feet.

D. Density. Only one projecting sign per business shall be allowed. Projecting signs must be separated from all other projecting signs by a minimum of twenty five (25) feet.

Section 16.28.085 Public necessity signs.

A. Public necessity signs such as safety/instructional, for public facilities and parks, warnings, informational kiosks at trail heads, bus stop, no parking and street name signs installed by or with the permission of Vernal City are exempt from permit requirements. Approval of the Superintendent of Streets is required for all signs in or adjacent to the public right-of-way to ensure safe placement, ensure compliance with the Manual of Uniform Traffic Control Devices and prevent unsightly or distracting sign placement.

Section 16.28.090 Nonconforming and unsafe signs--removal and Repair.

If a sign not legally in existence at the time this chapter is adopted does not conform with the requirements of this chapter, or if the construction, design, manner or use, or method of anchoring or supporting any sign makes such sign unsafe, the City Building Official Vernal City shall give written notification to the owner of the property on which the sign is placed of the violation and the pending action of the City to correct the violation. Unless there is an immediate threat to the health, safety or welfare of the general public, the Building Official Vernal City shall give the property owner thirty (30) days to correct the violation before proceeding to cause the removal of the sign or the rebuilding of the sign to conform with the requirements of this chapter, the building code adopted by Vernal City and any other applicable laws. The owner of the parcel upon which the sign is placed shall reimburse Vernal City for the full cost incurred in the removal of the sign or in bringing the sign into compliance.

Section 16.28.100 Permit requirements.

Regardless of cost, no sign shall be erected or placed within Vernal City without first making application for and obtaining a permit therefor for said sign, except temporary, window, and political posters, temporary signs pertaining to the sale of real property, nameplates or identification signs indicating the existence of an approved home occupation, property identification signs and yard sale signs. Any permit herein required by these regulations shall be in addition to any other building permit required. Construction or placement of a sign shall not be commenced until all approvals have been obtained. (PZSC § 03-13-010)

? graffiti or painted walls ?

? removal of abandoned signs ?

Create section on blade sign – 2 per entrance